

JOHN T. COLLINS.

FEBRUARY 23, 1904.—Ordered to be printed.

Mr. McCUMBER (for Mr. BURTON), from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 4702.]

The Committee on Pensions, to whom was referred the bill (H. R. 4702) granting an increase of pension to John T. Collins, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

John T. Collins, who is now 58 years of age, is shown by the records of the War Department to have served as a private in Company B, Seventieth Indiana Infantry, from August 17, 1862, to July 7, 1865, when honorably discharged from the Veteran Reserve Corps, to which he was transferred in 1864, by reason of ascites (dropsy).

Medical records of the War Department show that he was under treatment at various dates during the period of his service for remittent fever and intermittent fever.

He filed a claim for pension under the general law in November, 1879, alleging that about April 1, 1863, he was taken with a disease of his spine and kidneys.

Upon proof that he incurred disease of the back or lumbago in the service and that he suffered from that disability since discharge he was pensioned in 1886 for lumbago at \$4 per month from discharge, and at \$8 per month from December 23, 1885, and in 1886 he was increased to \$12 per month for lumbago and resulting disease of the heart, and again increased to \$14 per month from July 20, 1898, and to \$17 per month from November 29, 1899.

In 1901 the medical officers of the Pension Bureau held that the allowance of disease of heart as a result of lumbago was erroneous, and suggested that if there were no legal objections that a reissue should be made, changing the claim to rheumatism and resulting disease of the heart.

The legal branch of the Bureau, however, could find no warrant for a change of the approval to general rheumatism, and consequently, in August, 1901, the name of the disability was changed from lumbago and resulting disease of the heart to lumbago only, but the rate was not changed.

The claimant appealed from this action of the Bureau to the Secretary of the Interior, alleging that his rheumatism and lumbago had been practically identical. The Department, however, under date of May 23, 1902, held that rheumatism *per se* had not been shown as of service origin, the action by which disease of heart was accepted as a result of lumbago was error, and that neither general rheumatism nor disease of heart could be accepted as a sequel of lumbago.

A claim on account of disease of kidneys was rejected upon the ground that a pensionable disability from the same had not existed since the date of the soldier's discharge, and a claim for increase of pension on account of lumbago was also rejected in June, 1903, upon the ground that the disability from the pensioned causes did not warrant a rating in excess of \$17 per month.

The medical examinations of 1881, 1883, 1885, 1886, 1890, 1891, 1892, and 1896 revealed marked tenderness over the lumbar muscles and great difficulty in stooping, but no general rheumatism; but those made since 1898 showed general rheumatism aside from lumbago, and examinations, beginning in 1883, showed disease of heart.

In 1901 the board of surgeons stated that the beneficiary was not able to rise from a sitting posture without help; that he could not bend his body to either side or backward or forward without causing pain and distress; that he could not raise either arm above line of his shoulders; that he walks with difficulty and takes very short steps, and in standing supports himself on a chair or some other object.

When last examined the board of surgeons rated him \$17 for disease of heart, \$17 for lumbago, and \$8 for piles and disease of rectum, and the board of surgeons then stated that there was a tender and painful condition of the lumbar muscles, also along the spine from the base of the brain to the sacrum; that his movements are clumsy and feeble, with incoordination of moving in the dark, and that he has vertigo, possibly due to spinal meningitis.

Your committee is of the opinion that the lumbago of accepted service origin was nothing more nor less than a manifestation of rheumatism affecting then the lumbar muscles, the poison in the system which produced the lumbago finally affecting other joints of the body, so that the rheumatism and resulting disease of heart from which the soldier is now suffering are clearly the results of his military service.

In view of this an increase of the soldier's pension from \$17 to \$30 per month is justified.

The passage of the bill is therefore recommended.

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